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SPEECH OF MR. J. R. GIDDINGS, OF OHIO, UPON THE ANNEXATION OF TEXAS.*

DELIVERED IN THE HOUSE OF REPRESENTATIVES U. S., MAY 21, 1841.

Mr. GIDDINGS said, that his principal object in addressing the committee, at this time, was to call the attention of gentlemen to the real question at issue before the people of this nation.

The real issue has been made up; it has been placed upon the records of the Government, and will remain there in all coming time, subject to the inspection of those who shall come after us. It has been published in our newspapers, and is already before the people, who are the constitutional triers to determine the issue. The President and his cabinet, and the southern Democrats, aver that this nation shall take upon itself the *support and perpetuation of slavery in Texas, and of the slave trade between our slave breeding States and the people of that Government.* They urge that our army and our navy shall be employed, and our national energies put forth; our character disgraced before the civilized world, in order to attain that object. They insist that we shall violate our treaty stipulations with Mexico; that we shall abandon our principles in favor of human liberty; acknowledge ourselves a nation of political hypocrites; bring dishonor upon the memory of our revolutionary patriots; turn traitors to the sacred cause of freedom; and wage an unceasing war upon humanity itself. These are the matters urged on one side, and objected to by the other. This is the issue to be determined by the people—by the electors of the north and of the south, of the east and of the west. On this issue the Whigs, the Democrats, and Liberty men are to pass judgment.

It is true that the annexation of Texas to these United States is brought forward as the proposed means by which we may extend and perpetuate slavery, and continue the slave trade; but that object is merely collateral to the great and ulterior design of supporting slavery and the slave trade. The object and purpose for which it is now sought to annex Texas to the United States is clearly and unequivocally set forth in the official correspondence between the Secretary of State and Mr. Everett, our minister at the court of St. James; between said Secretary and our "charge de affaires" in Texas, and between him and the British minister resident in this city. In every letter of that correspondence the object is frankly avowed, without any apparent delicacy or attempt at concealment. The same object of maintaining the slave trade between the slave breeding States of this Union and Texas, and the perpetuating slavery in Texas, is the avowed object of nearly every Democratic paper south of Mason and Dixon's line, by nearly every address upon that subject, and by the proceedings of nearly all the public meetings held in the slave States for the purpose of promoting the cause of annexation. The same motives were fully and frankly avowed on this floor during the debate of yesterday by the gentleman from South Carolina, (Mr. HOLMES,) and in the debate of to-day by the gentleman from Virginia, (Mr. ATKINSON,) and by the gentleman from Alabama, (Mr. BELSER.) These gentlemen, with commendable sincerity and frankness, met the issue fairly. Not so with the gentleman from Indiana, (Mr. OWEN.) He is from a free State, and evidently felt somewhat embarrassed in advocating the interests of slave breeders and slave dealers; he, therefore, as far as possible, avoided the main issue. He, however, spoke learnedly of treaties, and boundaries, and of early writers upon international law, and of governments "*de facto,*" and of governments "*de jure,*" while his allusions to the subjects of slavery and the slave trade were very slight, although they had, up to the

* The direct question was an amendment to the naval appropriation bill, to restrict the expenditure, so that not more than one-half the amount should be expended prior to the 1st January, 1845. This amendment had reference to the conduct of the President in sending ships to blockade Vera Cruz. Here the discussion turned upon the annexation of Texas, and was deemed to be in order.

time of his speech, formed the prominent theme of those who advocated with him the annexation of Texas.

I regret that the honorable gentleman has left the Hall. I was desirous of addressing some remarks to him, as well as to his constituents. There are objections to the annexation of Texas which meet us at the very threshold of the argument. When it is proposed by the people of Texas to erase the name of that republic from the list of nations; to surrender their existence as a separate independent people; and to place themselves under the Government of the United States; we know there must be an object, an actuating motive that induces them thus to mingle with the people of these States. These objects are all set forth in the treaty now under discussion in the other end of this Capitol. The first of those objects to which I will call the attention of the committee, is *the payment of their debts by the people of this Union*. This is one of the vital conditions of the treaty, without which the people of Texas would not for a moment listen to any proposition for annexation.

To this I think there are some strong objections. A portion of the Representatives in this Hall are desirous that the people of our free States shall contribute of their hard earnings some ten or twenty millions of dollars, to satisfy the debts of slaveholding, repudiating Texas. To this proposition the Whigs, both north and south, object. The President, the southern Democrats, and the gentleman from Indiana, urge its propriety, and insist that it is the duty of our people to pay the debts of Texas, in order to continue slavery there, and to provide a market for our slave breeding States.

And now what say our Democrats of New England, and New York, and Ohio? I call upon them to come forth and show their colors; play the man, meet the issue, and let us have no dodging. We shall soon return to our constituents, and must meet this question before the people. Will the gentleman from Indiana then stand forth frankly and say to the Democrats of his district, "you must work hard, and live cheap, and be economical, for we have agreed to pay the debts of Texas, and every laboring man in the nation must contribute a portion of his earnings." And then suppose the honest farmer, in the true Yankee fashion, should inquire for the benefits which this nation are to derive from the payment of this twenty millions of Texas debts; will that gentleman frankly and boldly declare to him, that, by paying that amount of money, we have established true *Democratic slavery in Texas*, and have secured a first rate market for the *Democratic slave dealers* of the south. I cannot distrust that gentleman's sincerity, and yet I have a sort of inkling that he would rather talk of some other points, and leave these important considerations out of view, as he has done here to day. I could not wonder at the policy which he manifested; particularly as his State is unable to pay the interest on her own debts, I had no right to expect him to speak of his anxiety to tax his constituents to pay the debts of Texas. How is it with the Democrats of the other States which are unable to meet their engagements? Will they insist upon paying the debts of Texas, and leave their own States to be dishonored by repudiation? Has Pennsylvania more interest in maintaining the slave trade than she has in maintaining her own honor? Will the Democrats of that State forget their own indebtedness, and spend their money to perpetuate slavery in Texas? And those Democrats, whose indignation "is kindled not a little" at the most remote allusion to the assumption of our State debts by the Federal Government, are they ready to assume the debts of Texas, and then shout *huzza! for slavery and the slave trade?* Will those gentlemen, who deny all constitutional powers of the Federal Government to apply the proceeds of the public lands to the payment of our own State debts, turn round and urge to the people that there are full powers in the Constitution to pay the debts of Texas with the people's money, in order to encourage the slave trade? Let them meet us on this point, and let us make our appeal to the people who pay the money, and let them say whether they approve the policy. Let the question be made, and let them say whether they are willing to furnish funds to put down the slave trade on the coast of Africa and to keep it up on the coast of America. Let them know that we appropriate annually

more than a million of dollars of their money to destroy the slave trade on the eastern shore of the Atlantic, and that we are now about to appropriate ten millions to maintain the same commerce on the western shore of that ocean. Sir, I should like to canvass the district of the eloquent gentleman from Indiana at the ensuing election. I should like to hear him demonstrate to the honest Democrats there, the precise line of longitude on which the slave trade changes its moral character; on the east side of which it is the most detestable of crimes, and on the west side of which it becomes a laudable commerce, worthy of our fostering care.

After the line has been drawn, it must be interesting to hear gentlemen demonstrate to the people, how in all good conscience, they are bound to pay their money to arrest and hang all who carry on the business of slave trading east of this line, and to shoot and kill all who oppose the slave trade west of it. Sir, I desire the advocates of this nefarious commerce in slaves, be they who they may, to stand forth boldly before this House, before the people, and before the world, and, like the Secretary of State, maintain its propriety, and advocate its morality with frankness. I hope we may see no evasions, but, in western phrase, "let every man toe the mark."

But Texas is engaged in a war with Mexico, and wants us to *fight her battles*; and our Executive, and a portion of this House, say, we will do it if, by that means, we can keep up slavery in Texas, and thereby furnish a market for our slave breeding States to sell their surplus population. This war, to say the least, will very likely bring us into conflict with Great Britain, as well as with Mexico, and perhaps with France also. It is, therefore, not unlikely that our constituents may be called on to go forth in arms to maintain this slave trade upon the field of battle. Our people are brave and generous, even gallant in a good cause. Would this war be such an one as would justify us in looking for, or in expecting, the blessing of heaven to rest upon our arms? In the expressive language of Mr. Jefferson, "the Almighty has no attribute which would enable him to take sides with us in such a contest." Yet, sir, the battles would have to be fought by northern men principally, for our southern friends must remain at home to watch their slaves.*

These consequences will probably follow the proposed annexation, and the flagrant violation of our treaty stipulations with Mexico; and I should be gratified to listen to a moral and patriotic lecture from some of the advocates of this measure, describing the degree of attachment to oppression—what love of crime, what degree of contempt for the approbation of mankind—would be likely to prepare the mind of a good Democrat of our free States to die ingloriously upon the field fighting for the extension of slavery, and to establish a profitable slave trade. Suppose some worthy constituent of the honorable member from Indiana were to fall mortally wounded amid the carnage of battle; his life's blood fast flowing from frightful wounds; his countenance pale and distorted with pain, with no friendly hand to minister to his wants; believe you that he would draw very rich consolations from the fact that he had fallen while striving to extend the slave trade, and to perpetuate crime, and increase human misery and suffering. I should like to have some of the advocates of this measure moralize upon these themes, for they are very likely to follow the adoption of their measure.

I would particularly invite the attention of northern members to this point when they go before the people for re-election, or to advocate the election of a President who favors the slave trade and the annexation of Texas. I would also commend to their notice our sailors, who are sent upon the trackless sea to do battle for the slave trade *here*, and against it in Africa. I should like to hear the consolations with which they would smooth his pillow of death when he falls in defence of the *slave trade* on our American coast; and then describe the reflections that will nerve him up to meet death upon the pestilential coast of Africa, when mortally wounded in fighting *against* the slave trade, and in defence of the rights of man. Our old philosophers regarded the principles of justice as universal and unchangeable; but these slave trading philosophers are about to fix the longitude on which it is to change with the "*presto*" of

* In 1779 South Carolina sent a special messenger to inform Congress that that State could furnish no troops for the common defence, as it was necessary that their men should remain at home to watch their negroes, and protect their families in case of insurrection.

modern democracy; *western* justice is to be rendered synonymous with slavery and the slave trade, and *eastern* justice is to be expressive of liberty and freedom. Ancient philosophy taught us to regard justice as *eternal*; but these advocates of annexation are about to fix the time when it is to change, and be regarded as antagonist to its former signification. They speak of extending American liberty to Texas by founding it upon perpetual slavery, and insist that, by establishing the most degrading oppression there, we shall carry to that people the enjoyment of true Democratic principles in all their pristine purity. I was delighted with the eulogium of the gentleman from Indiana, (Mr. OWEN,) upon Democratic liberty. While urging the duty of annexation, he spoke in thrilling terms of the effulgent glory of our *American institutions*, including slavery and the slave trade. Those poetic strains may delight the ears of slave breeders and slave dealers, but I have mistaken the character of our northern people, if eloquence itself can lead them to forget the fundamental principles of freedom.

But another object of annexation with the people of Texas, is to obtain for themselves protection against the armies of Mexico. They are willing to buy negroes from our slave breeding States, provided we will furnish an army to protect them while they remain on their plantations, and whip, and scourge, and torture their slaves into subjection, according to the true principles of liberty as expounded by the present Secretary of State. The Executive and his cabinet, and the advocates of annexation, appear to think that this purchase of a slave market is dog-cheap. And now I wish to know what our northern Democrats think of it? We know that the Whigs are opposed to it. And I ask the Democrats whether they are prepared to go to Texas, and stand sentinel there, and defend the fugitive criminals of that country, provided they will condescend to purchase the slaves of Virginia? What say our Democrats of New England, of Maine, of Massachusetts, Connecticut, Vermont, and even of New Hampshire? I want to see them step out boldly, and let us understand their true positions. If they are to arrange themselves in favor of purchasing this slave market, at that price, I trust they will let us know it—that they will avow it before the world.

It is well known, Mr. Chairman, that, since the formation of this confederacy, there has long been a supposed conflict between the interests of free labor and of slave labor, between the southern and the northern States. I do not say that the conflict is *real*; I only say that in the *minds of the people*, both north and south, and in this Hall, such conflict exists. This supposed conflict has given rise to difference of policy in our national councils. I refer to the tariff in particular, as being a favorite measure of the north, while free trade is advocated by the south. I refer also to our harbor improvements, and the improvement of our river navigation, as another measure, in which the northwest and west have felt great interest and much anxiety, and to which the south have been constantly opposed. But so equally balanced has been the political power between these opposing interests, that for five years past our lake commerce has been entirely abandoned; and such were the deficits of the tariff, that for many years our revenues were unequal to the support of Government. Time eventually gave the friends of northern interests power to amend the tariff, and, by the fixed order of nature's law, our population at the north has increased so much faster than it has in the slave States, that under the late census the north and west now hold the balance of political power; and at the present session we have passed a bill for the protection of our lake and river commerce, which now awaits the action of the Senate, and will soon become a law. But let us admit Texas, and we shall place the balance of power in the hands of the Texans themselves. They, with the southern States, will control the policy and the destiny of this nation; our tariff will then be held at the will of the Texian advocates of free trade. Are our friends of the north prepared to deliver over this great national policy to the people of Texas? Are the liberty loving Democrats of Pennsylvania ready to give up our tariff? To strike off all protection from the articles of iron, and coal, and other productions of that State, in order to purchase a slave market for their neighbors, who, in the words of Thomas Jefferson Randolph, “*breed men for the market like oxen for the shambles?*”

I know it is said that men high in the confidence of the Democratic party of that State are in favor of annexing Texas, notwithstanding the results to which I have alluded must necessarily follow. It is possible they may influence their former friends to follow them in their destructive plans, but I do not believe it; I will never believe that the Representatives of that State will prove treacherous to the principles to which they have so firmly adhered during the present session, without a single exception; nor do I believe that the people of that State would be willing to turn from employment the thousands of their population now engaged in the iron and coal business, and in their various other manufacturing establishments, and see them, and their wives and children, suffer for bread, although that policy might secure a market in Texas for southern slaves. Nor do I believe the mechanics and manufacturers of New England, whether they call themselves Whigs, or Democrats, or Liberty men, are prepared to leave their employments and be turned out of business, for the purpose of maintaining a brisk traffic in the bodies, the flesh and blood of our southern population. Neither do I believe that the farmers of the west--of New York, Ohio, Indiana, and Illinois--are prepared to give up the only market they have for their beef, their pork, and their flour, for the purpose of increasing the profits of those who raise children to sell, and who barter away the bodies of women.

And I appeal to the whole population of the western States--of all classes and conditions, and political parties--to say whether they are willing to give up their harbor improvements, and the improvement of our river navigation, for the purpose of improving the southern slave trade, and of perpetuating slavery in Texas? What say my Democratic colleagues on this point--*will they go it?* Will the Democracy of Ohio march up to that point with firm and unflinching step? I think not. If they do, they had better settle their political affairs, and make their political bequests before election, or they will take their departure from the political world unprepared.

But if Texas be admitted to the Union, it will be admitted as a slave Territory, out of which several slave States are hereafter to be formed and admitted into the Union as slaveholding States, with all the advantages of the slave representation, under our Federal Constitution; the effect of which will be to give the slaveholders of Texas an influence in the election of President, Vice President, and members of Congress, and in the administration of our national Government, in exact proportion to their disregard of the liberty for which our revolutionary fathers contended; or, in other words, in proportion to the number of persons they shall hold in degradation and slavery. On this point I desire the particular attention of northern Democrats. I say, then, that if the free men of Texas shall each hold five slaves, each will hold and exercise the same influence in electing federal officers, that will be held and exercised by **FOUR NORTHERN FREEMEN**. If each shall hold fifty slaves, he will have an influence in electing federal officers, and in controlling the Federal Government, equal to **THIRTY-ONE hard laboring, intelligent and virtuous Democrats** of New England, or of New York. Now, sir, does the learned democratic gentleman from Indiana really estimate his own constituents so low in the scale of moral excellence and political worth, as to regard thirty-one of them equal only to the owner of fifty Texan slaves? Or would he regard himself as entitled only to one-fourth part of the consideration of the owner of five slaves in Texas? Now, sir, I call upon northern Democrats to march up to this issue, and to let the world understand the comparative estimate which they put upon themselves. Would to God I could address every man, of every party, north of Mason and Dixon's line, on this sole question. I would demand of them as *men*--as *American freemen*--to come forward and speak for themselves, and to let the world know whether an individual among them, of any party, is willing thus to rank himself, and to admit that he possesses but one quarter of the moral or political worth of a Texan slaveholder of the lowest grade. There are men who put that estimate upon northern Democrats. They urge upon the people of the north to admit Texas upon these terms; indeed no other terms are mentioned or thought of. Now let such estimates come from whom they may--from persons high in office, or those who *wish* to be high in office--I declare them insult-

ing to northern feeling and northern honor. Sir, why not propose at once that our people shall surrender themselves as slaves to the Texan planters? Why not advise the people of our free States at once to leave their homes, go to Texas, and become the voluntary "hewers of wood and drawers of water" to those fugitive criminals, who, within the last fifteen years, were driven from the United States to avoid punishment for their crimes or the payment of their debts?

But I must hasten through my subject, although it be in a desultory manner. I was wholly unprepared to address the committee. I had taken no notes, nor had I before me books, or papers of reference; but the committee appeared anxious to proceed, and I was compelled to put to sea, upon the wide ocean of this debate, without chart or compass; and with nothing to guide my course but the glittering star of truth, as it shines in the moral firmament, unobscured by political clouds. Whether I shall again reach the shore, within the brief space allotted me by the rules of the House, is of little consequence, in my opinion, as I shall probably be compelled to stop before I can possibly bring my argument to a close.

It is, however, due to myself to say, that I would not have occupied the attention of the House one moment, if any other northern man had exhibited a disposition to address the committee; but as we have now had some six or eight speeches in favor of the annexation of Texas, and no one against it, I began to fear that our people of the north would think we either have nothing to say, or that we are too delicate to say it.

Before I proceed to speak of the constitutional powers involved in the extension and preservation of slavery by the Federal Government, I must answer one of the positions assumed by the gentleman from South Carolina (Mr. HOLMES) yesterday, and to-day by the gentleman from Virginia, (Mr. ATKINSON,) and the gentleman from Alabama, (Mr. BELSER.) It is also assumed by the late Secretary of State, Mr. Upshur, and by the present Secretary of State, Mr. Calhoun, in their correspondence connected with the treaty lately sent to the other branch of the National Legislature.

The point to which I allude is, "*that the Federal Government have guaranteed slavery to the slave States of this Union;*" and they urge that, in order to carry out such guarantee, it is necessary to annex Texas, lest slavery shall be abolished there; and, in consequence of such abolition in Texas, slavery will become valueless in our southern States.

Now, Mr. Chairman, with all due respect to the legal talents and constitutional learning of those gentlemen, I may be permitted to deny that any guarantee in regard to slavery ever found a place in the Federal Constitution. You, Mr. Chairman, will recollect, that when the gentleman from Alabama (Mr. BELSER) put forth this doctrine, I respectfully inquired of him, where he found it? He at first answered that he found it in *common sense*; he next said it was found in *common justice*; and lastly he asserted it was found in the Constitution. I then inquired in what part of the Constitution I would find it? To this he replied, that he *had not then time to inform me*. It is true that an hour is a short time for a speech, but as I see the gentleman now in his seat, I give him notice, that I will surrender to him the necessary time out of my own hour, if he will but inform me of the article and section of the Constitution in which such doctrine is to be found. In the meantime I must take issue upon the gentleman's assertion that *common sense* furnishes any proof of such guarantee to the continuance of slavery. I deny the assertion. Every principle of common sense is *opposed* to slavery, in all its forms; every dictate of common sense is in favor of freedom. I must also emphatically deny the assertion of the gentleman, that a guarantee of slavery is to be found in *common justice*. The principles of common justice are at war with the existence of slavery; common justice would strike the shackles from every slave in our country. Does that gentleman understand that common justice authorizes him to hold his fellow man subservient to his will? To compel a fellow being, equal in natural rights with himself, to labor for the gratification of his appetite? Sir, *common justice* gives to the slave precisely the same liberty that it gives to the master. When God "*created man free and equal, and*

endowed him with certain inherent and inalienable rights, among which are the enjoyment of life, LIBERTY, and the pursuit of happiness," he dealt out to man common justice. But it appears to me that the mind must be truly disordered that can find in common justice any excuse or apology for slavery ; but, apparently feeling that this position was not a safe one, he said the guarantee was to be found *in the Constitution*. I will now pause, that he may inform this committee as to the section and article in which it exists.

[Mr. GIDDINGS made a pause, but Mr. BELSER sat silent, and Mr. G. proceeded.]

I was fully aware, when I put the question to the gentleman, that he then had not time to find the guarantee of which he spoke. I was also conscious that he would not have time during my hour to find it. And I now say to the gentleman, and to the committee, that his lifetime will be too short to find it; nay, Mr. Chairman, eternity will not disclose it, **FOR IT DOES NOT EXIST.** Yet, sir, this senseless jargon—this eternal repetition concerning the "*guarantees of slavery*"—is daily sounding in our ears. Sir, the idea that the Constitution contains a guarantee of slavery, is an impeachment, both of the sincerity and the judgment of the framers of that charter of American liberty ; and I take this occasion to repeat my assertion, that no such stipulation exists, or ever did exist in that instrument. And standing here, in the presence of so many learned and able statesmen of the south, many of whom have repeated the unfounded assumption, I call upon any one, or all of them, to refer me, and the committee, to any such covenant or stipulation in the Constitution.

Mr. BRENGLE, of Maryland, stated, in substance, that, at the formation of the Constitution, slavery existed in most of the States, and that slaves were regarded as property ; and, in that light, were the subject of protection as much as any other property.

Mr. GIDDINGS. Will the gentleman point me to the section in which I may find this guarantee?

Mr. BRENGLE. I don't refer to any section in particular, but to the whole instrument. (A laugh.)

Mr. GIDDINGS. Well, Mr. Chairman, I have finally chased this notable guarantee into the wild regions of southern abstractions ; but I declare I never came so near finding it before. (Laughter.) So far from considering slaves to be property, Mr. Madison said, in the Convention, "*it would be wrong to admit that man could be made PROPERTY*;" and not a member of the Convention appears to have dissented from that view. And in every instance in which slaves are referred to, they are called *persons*, and not property.

Mr. CAUSINE, of Maryland, said he would refer the gentleman from Ohio to the guarantee of slavery in the Constitution. It would be found in the clause providing for the recapture of fugitive slaves.

Mr. GIDDINGS resumed. The gentleman from Maryland is a lawyer, and must understand the term *guarantee*. It means "to insure, to warrant, to stipulate for the performance of an act." Now, sir, has the United States insured the slave to remain with his master ? If he runs away, do we warrant the master to catch him ? Have we stipulated that the slave shall continue in servitude ? In short, does the clause of the Constitution referred to, contain a single characteristic of a guarantee ? I think the gentleman himself must see there is not the slightest approximation toward a guarantee.

The clause of the Constitution alluded to provides that, when *a slave shall escape to a free State, he shall not, by any law or regulation of such State, be discharged from his master's service.* As construed by the Supreme Court, it gives the master the right to follow his slave into a free State, to retake him on free soil, and transport him back from whence he escaped. It also prohibits the Legislature of such free State from interposing any law or regulation to restrain the master from retaking his slave. It gives to Congress *exclusive* power to legislate on that subject. We may, therefore, legislate, to the extent of our constitutional power, in aid of the master. We may prescribe such penalties as we may think proper against any person who interferes with the master, or in any way aids the slave to escape. We may also

prescribe the manner in which the master, or his agent, may proceed in retaking his slave, and in transporting him to the State from whence he escaped. Here our powers cease; we can go no further. If the slave then escapes, it is the master's loss, not ours; we cannot compel the people, or the officers of a State, to leave their employment in order to chase a slave, nor have we the power to order them to find prisons to confine him in; nor can we, in any way, involve them in the transaction. Indeed the entire object of this constitutional provision was to prevent all interference between the master and slave, and give them "*a clear field, and a fair race.*"

But, Mr. Chairman, this is the only clause in the Constitution which gives the Federal Government *any power* whatever to legislate or to act upon the subject of slavery. Here the grant of power is express, and it excludes all other powers as effectually, and as fully, as it is possible for language to attain that object. And the whole length and depth, the height, and breadth, and extent, of the power, is to legislate for the protection of the master when pursuing his fugitive slave, and to prevent all persons from interposing any obstacles to his purpose. But the powers claimed by the President, are, that we may tax the people of the free States to the amount of ten or twenty millions of dollars—nay, to an indefinite amount; that we may purchase foreign territory; unite this with foreign Governments; use the power of our army and navy, and make war upon unoffending nations; violate our national faith, in order to perpetuate slavery and furnish a market for slaves. This, too, I understand to be the doctrine of gentlemen who advocate the annexation of Texas.

This leads me to a consideration of the rights of the free States in regard to the institution of slavery; for I am one of that class of politicians who believe that the *free States* have rights as well as the slave States; and that our right to be exempt from slavery, and from its expense, its guilt, and its disgrace, is supreme and unrestricted; and these efforts of the Executive, and others, to involve us in the support or perpetuation of slavery, and of the slave trade, I denounce as attempted violations of our dearest rights, and of our common Constitution. Sir, no such power ~~was~~ delegated by the people of the free States to this Government, and the exercise of such powers would be a usurpation of authority sufficiently flagrant and outrageous to dethrone any monarch of Europe.

The Federal Constitution regards slavery as strictly *a State institution*, over which the General Government has no control whatever. It belongs *exclusively* to the several States, and the power of each State over the institution within its territory is supreme and unlimited. With slavery in the States, Congress has no more power to interfere than it has with the serfs of Russia; and Virginia, to-day, holds her slavery as independently of the Federal Government as the government of Russia holds its serfs.

By her legislation, she may modify or abolish it at the pleasure of her people. So supreme and exclusive is her power over it, that I never feel at liberty to discuss its moral bearings in this Hall, unless I am compelled to do so in defence of my own rights, or of the rights of the people whom I represent. In doing this, I merely comply with what I believe to be the spirit of the Constitution. But, while I hold the rights of the people of the slave States thus sacred, I demand of them a corresponding observance of the rights of the free States, and of the spirit of the Constitution. That instrument has placed all the States upon the same political level. The rights of our people of Ohio are the same as those of Virginia. You, Mr. Chairman, have been taught to regard slavery as excusable, or perhaps right. I have been educated in the hatred of that institution. My feeling and my principles are opposed to it in all its forms. Yours are in favor of it. I execrate and condemn it. You cherish and support it. You are indulged in your views and sentiments, while your State continues slavery, without regard to the feelings of our people or of Congress. I rest with the same perfect security in the freedom of our State, knowing that the people of Virginia, nor the Federal Government, have any power whatever to interfere with our feelings or our interests in regard to slavery. Thus you and I are mutually safe in the enjoyment of our opposite opinions. The rights of our States too, are perfectly mutual, and in all respects reciprocal. The rights of Ohio in all respects correspond

with those of Virginia. As the Federal Government possesses no power to interfere with the slavery of Virginia, it is equally incompetent to interfere with the rights of Ohio, to be exempt from all participation in what we regard as the guilt or the disgrace of that institution. The right of Ohio to be entirely free from all the stain and pollution of slavery, is as absolute and unlimited, as is the right of Virginia to enjoy what her people regard as the advantages of it. Nor has the Federal Government any more power to act for the *benefit* of slavery, than it has to act for its abolition. Most happily, the Constitution has given this Government no right to interfere either for its support or its destruction. Nor could the Government be maintained upon any other principles. The Government is the common property of all the people of all the States. It is as much the Government of the people of Ohio, as it is of those of Virginia. It is the common agent and protector of all. Whatever is done by the Government, is done by the people of all the States. Now, sir, every man must at once see, that no common agent of all the States could act, either for or against the institution of slavery, without offending one portion or another of the people. If it were to put forth its influence to abolish slavery in Texas, our southern friends would complain, for they desire to retain the institution. If it puts forth its influence to preserve slavery there, the people of the north will of course complain, for they are in favor of justice and freedom, and ardently desire to see slavery abolished. It was therefore a most wise and salutary object with the framers of the Constitution, to withhold all power from the Federal Government in regard to slavery, except that which has reference to fugitives, on which I have already remarked. The safety of the south and of the north consists in this wise and salutary *absence of all power over slavery*. It was foreseen by the framers of the Constitution, that the subject was of such a delicate character, that the Federal Government could not interfere with it in any form, without endangering the existence of our Union. I fully understand the excuse of Messrs. Upshur and Calhoun for attempting this unconstitutional support of slavery. They say that the continuance of slavery in the south would be endangered by the abolition of that institution in Texas. I answer, that the *continuance* of slavery in Texas, will endanger the freedom of Ohio. Mr. Calhoun calls upon the Federal Government to interpose its power to sustain slavery in Texas, lest its abolition shall endanger the continuance of slavery in our southern States. The people of Ohio call upon this Government to exert its power to *abolish* slavery in Texas, lest its existence there should endanger the continuance of our liberty. Our Government, in such case, would be under the same obligations to exert its efforts to *abolish* slavery in Texas, that it would be to *sustain* it there. The framers of the Constitution wisely foresaw these difficulties, and withheld all power in regard to that institution.

I am often misunderstood. When I say that the Federal Government cannot maintain, support, or defend slavery, I am sometimes asked—if an enemy should invade a slave State, to get away slaves, “would it not be the duty of the Federal Government to protect us in the enjoyment of our slave property?” I answer—your soil is held sacred under our constitutional compact, and if an enemy sets his foot upon it, our arms, the arms of all the people of the nation, are against him. We are bound to protect your soil and territory. We can’t inquire into the object of the invasion. Whether he comes to get away slaves or masters, blacks or whites, rich or poor, bond or free, we protect the whole population, by driving the invader from American soil. But we do so without regard to slavery. And then if the slaves leave and go to another government, we can no more demand them under our Constitution, than we can demand the masters when they go there. If slavery in Texas were abolished by her Government, and every slave in Louisiana were to leave his master to-morrow, and cross the line and become free, it would be a matter in which Congress, or the Federal Government, would have no constitutional right to interfere. Or, on the other hand, if the masters were to cross the line into Texas, and the slaves were to call on us to demand their masters of the Texan Government, and bring them back, we should say to them, “we can’t interfere, you must take care of your own masters.”

Again, I am sometimes asked, suppose our slaves rise and murder our people, is not the Federal Government bound to aid us in holding them in subjection? I answer—we are bound to protect the people of every State “against foreign invasion and *internal violence*.” The class of persons who commit the violence, is a fact into which we cannot stop to inquire. If the violence rise from masters, we suppress it. If it rise from slaves, we do the same. If both masters and slaves are engaged, side by side, in an insurrection, we shoot them down without knowing or inquiring which is master or which is slave. Our business is to suppress the *violence*, but we have no concern with slavery.

I make this explanation, that I may be understood when I make the declaration that, under our Constitution, the *Federal Government cannot interfere with slavery in the States for any purpose, either to sustain or to abolish it*. This was the doctrine avowed and understood by the framers of the Constitution. It has been the avowed doctrine of southern men, and of northern men, from the adoption of the Constitution to this day. It is true that the Federal Government has often interposed its power in aid of slavery, by the common consent of all the States, when no objections were made by any person; but, up to the present year, no man of any party, or from any portion of the Union, ever dared to stand forth before the nation and avow the doctrine, that this Government possessed the constitutional power or right to exert the influence of the nation to degrade its character, and exhaust its revenues, in support of slavery, or of the slave-trade. On various occasions I have myself, in this hall, called on gentlemen to avow such sentiments if they entertained them. But never, until long since the commencement of the present session, was any member of this body found sufficiently callous to his own reputation to avow such principles. We have passed more than half a century under our present Constitution, and now the President assumes to himself the power of making slavery a *national*, instead of a *State* institution, and of extending the power, and influence, and funds, of the Federal Government to its support, and to the support of a piratical commerce in mankind. In order to effect this unholy and nefarious plan, he attempts to bring into this Union a foreign slaveholding government, the effect of which is to place the balance of political power in the hands of foreign slaveholders, who have no feelings or principles, either moral, religious, or political, in common with the great body of our people of the free States, and to transfer the descendants of our New England Pilgrims to the political control and dominion of Texans and foreigners. Nor do his violations of the Constitution end here—he has gone further and brought our army into the field in hostile attitude to a friendly power, with whom we are on terms of perfect amity, and has sent a fleet to insult and provoke that government to hostilities. In short, sir, he has of his own acts, by his secret orders, without the consent of the people of the nation, or their representatives, and without deigning even to consult his constitutional advisers, suddenly plunged us into a war for the openly avowed object and purpose of extending and perpetuating slavery. These profligate acts, these usurpations of power, these violations of the Constitution, can be characterized by no term of milder signification than **TREASON**—*treason* against the rights of the people of this nation—*treason* against the Constitution—and *treason* against humanity itself. I feel it my duty to declare it such in the presence of the House and of the country.

Mr. Chairman, we at this moment appear before the civilized world in the disgraceful attitude of making war upon Mexico, an unoffending nation, in obvious violation of our treaty stipulations and our national faith solemnly pledged, for the purpose of extending slavery, and perpetuating the slave trade. And I am exceedingly desirous of knowing whether any political party, or any respectable portion of any political party, intend to support and maintain this policy? What say our Democratic friends? Has the gentleman from Indiana (Mr. OWEN) spoken the sentiments of his party? Are the Democrats of our free States prepared to follow his lead? Will they enter the field with “*democracy and slavery, Texas and the slave-trade*,” inscribed upon their banners? If so, I ask them to come forth boldly, unfurl your banners, not to

the *breeze*, but to that whirlwind of indignation which shall scatter *you* to the four winds of Heaven, and which will leave no other memorial of you, than the disgraceful cause that shall have exterminated your party. But, sir, I have too much respect for gentlemen of that party in our free States, to indulge apprehensions of this kind. I hope, on the contrary, to see them treating this odious, this treasonable proposition, with that scorn and contempt which it justly merits.

Mr. Chairman, I have endeavored to show that this great object, the extension and perpetuation of slavery in Texas, and the establishment of a slave market there, can be effected by the Federal Government only by trampling upon the fragments of a violated Constitution. I will now proceed to examine the proposed means of effecting the permanent establishment of slavery in Texas, and the slave trade between our slave States and the people of that government. To effect these objects the President proposes to annex Texas to the Union of these States. I, for one, deny the constitutional power of this Government to amalgamate the political destinies of this people with those of Texas or of any other foreign government. But, before I proceed with my argument on this point, I must notice a remark which fell from the gentleman from Alabama, (Mr. BELSER.) He said that there was a class of public men who deny the constitutional power of the Federal Government to annex Texas to this Union. He then went on to say that such were the views of the abolitionists, and that their candidate for President (James G. Birney) had started this doctrine. Now I beg leave to differ with that gentleman as to the authorship of this doctrine. It had been put forth long before Mr. Birney's letter was written. It was put forth by a greater abolitionist than Mr. Birney—by a man who I have always regarded as a far greater man, and to whose opinions I have, from my youth up, been taught to pay the highest respect. (Cries, "who is it, who is it?") He was the author of the first abolition tract ever published in the United States, and, in my opinion, the best ever put forth. (Cries, name him, name him.) I borrowed my own abolition sentiments from his writings, and have cherished them, and should continue to do so, from respect to his memory, if from no other motive. His name was THOS. JEFFERSON. (A laugh.) And his abolition tract was called the "*Declaration of Independence.*" (Great laughter.) Before I quote his sentiments, I will state that when he wrote, and subsequently to that period, so far as this question has been agitated, statesmen and jurists have drawn a marked distinction between the acquisition of mere territory, of acres, or square miles of land uninhabited, and the annexing of a foreign people, who, having formed themselves into a government, attempt to unite with those of another nation. The ability to purchase territory without inhabitants is one thing, but to annex a foreign government—that is, the people of a foreign government, with their habits, their moral and political views, is another and a different subject. We must bear in mind that Mr. Jefferson was President, and that the Territory of Louisiana had been purchased by a treaty negotiated under his administration, which, at the date of his letter to Mr. Breckinridge, awaited the sanction of Congress. The letter was dated on the 12th of August, 1803, and in it he says: "The treaty must of course be laid before the two houses of Congress, because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratifying and paying for it, so as to secure a good which would otherwise probably be never again in their power. *But I suppose they must then appeal to the nation for an additional article to the Constitution approving and confirming an act which the nation had not previously authorized.*" These were his words. He, sir, had never conceived the idea that the Constitution had authorized the purchase of foreign territory. He was conscious that the purchase was without any constitutional power, and suggested that an amendment to the Constitution should be proposed in order to sanction the act. But, least his views might not be fully and explicitly understood, he proceeds to say: "*The Constitution has made no provision for our holding foreign territory, STILL LESS FOR INCORPORATING FOREIGN NATIONS INTO OUR UNION.*" Here, sir, is the doctrine from the pen of a man whose opinions upon the Constitution I have always been accustomed to

respect. How is it with those who now call themselves *Jeffersonian democrats*? Do you acknowledge the authority of this great apostle of democracy? Or will you reject it, and take that of John Tyler and John C. Calhoun? I need not appeal to my democratic colleagues; for the voice of the people of Ohio has been expressed on this subject. A resolution was introduced into the Senate of our State, some six years since, adhering to this doctrine of Jefferson, and declaring that the Federal Government has no constitutional power to annex Texas to this Union. Not a member of the Senate, of either party, was found willing to risk his reputation by dissenting from this construction of the Constitution. Such, too, was the case in the House of Representatives, where it was also adopted unanimously. Since that day there has been no change of the Constitution; and if my colleagues of the opposite party are now prepared to reject the voice of our State, and act in opposition to the opinion of our people as it was then expressed, I hope they will come out frankly and say so, and let the issue be made up fairly, so that we may proceed to trial before the people at the coming election without any cavilling as to the point in controversy. But I trust, sir, there will be but one voice on these questions, now forced upon the country. I will not believe that a single elector of that State will so disgrace the "Buekeye" character as to estimate the Texan holder of five slaves equal in moral worth to four freemen of Ohio. Or that the Constitution of our country, and the opinions of Mr. Jefferson, are to be disregarded in order to maintain slavery in Texas, or to perpetuate the slave trade.

Mr. PAYNE, of Alabama, requested of Mr. Giddings permission to propound a question to him.

Mr. GIDDINGS. An hour is a short time to make a speech; but if the gentleman will occupy but a short time, I will allow him the opportunity to propound his question. (Mr. PAYNE desired the reporters to note what he said,) and then stated that about two years since, a man by the name of Torrey, a negro stealer, brought a wagon and team to this District; while stealing some negroes they were arrested, and Torrey made his escape, leaving his wagon and team. Subsequently it was said that a member on this floor claimed the wagon and team on behalf of Torrey; and he now asked the gentleman from Ohio what interest he had in the property of the negro stealer?

Mr. GIDDINGS. I am not at liberty to receive any thing uttered by a member of this floor as an insult. Indeed, nothing, coming from a certain quarter, can insult me.

Mr. PAYNE. I call upon the gentleman from Ohio to answer my question; and if he does not, a committee ought to be appointed to inquire into the fact. (Cries, "order, order.")

Mr. GIDDINGS. I have witnessed too many of these sudden outbursts of passion to be very seriously alarmed by them. (Mr. PAYNE interrupting Mr. G.) A man that will deceive his own party cannot be made ashamed of any thing. (Cries of order! order! from various parts of the hall; the Chairman, rapping with a mallet distinctly, called Mr. PAYNE to order.)

After order was restored, Mr. GIDDINGS resumed.

Mr. Chairman, these little innocent outpourings of the heart are perfectly harmless even from an *overseer* when deprived of his whip. You may, in such case, look him in the face with perfect safety. To you, Mr. Chairman, and to the member generally, whom I respect, I will say this is the first intimation that I have had of any member's having been suspected of any connexion with the transaction alluded to; nor had I any intimation of the transaction until I received it in the newspapers. But I wish it to be understood that I make this statement for the satisfaction of *gentlemen*, and not for that of the member from Alabama. I do not wish the insinuation to rest moment uncontradicted in the minds of those who understand the common courtesies of life, and know what *good breeding is*; while I would scorn the idea of making any reply whatever to the grovelling malice that prompts this attack.

But to return from this digression: I was saying that the Legislature of Ohio ha

agreed with Mr. Jefferson in his construction of the Constitution. I believe the Legislatures of Vermont, and Rhode Island, and Massachusetts have all coincided, with nearly unanimous voice, in the same construction. And I also notice that the executive of Connecticut, in his late message, expresses the same opinion. This, too, was the view taken at the time by the venerable member from Massachusetts (Mr. ADAMS) who opposed the passage of any law, extending over the people of the territory of Louisiana until the Constitution should be amended so as to authorize the passage of such law. Here was this difference of opinion between Mr. Jefferson and Mr. Adams. The former believed that we could not hold the right of soil in the territory purchased, without an amendment of the Constitution giving such powers, while the latter gentleman appeared to think that such holding of territory was widely different from incorporating a *foreign people* into our Government. Mr. Adams held that we had the power to purchase the acres, or square miles of land, but agreed perfectly with Mr. Jefferson as to the absence of all power to extend our laws over the people of Louisiana, until the Constitution should be so amended as to authorize the act. He was then a member of the Senate, and voted against passing a law prohibiting the introduction of foreign slaves into that territory, for the reason that he believed Congress had not the constitutional right to legislate over those people, until the Constitution should be amended. This was the construction then put upon the Constitution by both Jefferson and Adams. But as the people of Louisiana, and the people of the United States, appeared to be unanimous in their desire to have that territory incorporated with the States, a majority of Congress felt willing to do so, and thereby save the delay and trouble of amending the Constitution; and it was thus done by *universal consent*. And Texas might now be admitted if the *whole* people of both Governments desired it. It would, indeed, be a violation of the Constitution, but of course no one could complain of it afterwards.

Under the Old Confederation, provision was made for admitting foreign people to a union of the States, in order to incorporate Canada with the United States, when they should be prepared for such union. But when the Constitution was framed, the treaty of 1783 had been ratified, and the limits of the United States were defined, and every man understood the extent of our territory; and at the formation of the Constitution every member had reference to those boundaries.

The Old Thirteen States had each borne a portion of the burthens, and had shared in the dangers, of the Revolution. Their people understood the objects for which they had contended. And I should like to find the man who will say, that he really believes the framers of that instrument intended to give authority to the Federal Government to annex the people of these States to Mexico, or to Brazil, or to Great Britain, by which our institutions would be subverted, and all the blood and treasure expended in the Revolution would be lost to posterity? Sir, no man believes that such intention was entertained by a single member of the Convention. And it is perfectly clear that when Mr. Jefferson wrote his letter some fifteen years subsequently, he well understood the powers intended to be granted. It is equally clear that when he purchased Louisiana, he was conscious it was done without authority. But the people acquiesced in the act, rather than to amend the Constitution. Thus the purchase of Louisiana forms no precedent in favor of the right to hold foreign territory, or to annex a foreign power to this Union. On the contrary, as that act was at the time admitted to be without authority by Mr. Jefferson, who negotiated the purchase, and by Mr. Adams, then a leading statesman, and as the power was not asserted by any one, it furnishes the strongest proof against the existence of such power. Again, in the debates of the Convention that framed the Constitution, and in the debates of the Thirteen State Conventions that ratified and adopted it, not an individual appears to have proposed the granting of such powers, or to have supposed that the Constitution contained such powers. If, therefore, such powers exist, those who framed and those who adopted the Constitution were deceived, and did not understand the effect of the instrument which they framed and adopted. And I appeal to the common sense of every man to decide, whether the people of New Eng-

land would have been likely to adopt the Constitution had it been suspected of containing such powers? Would they, after years of toil and danger and suffering to achieve our independence, have been likely to enter into any compact, giving power to any body of men under heaven, to place them, or their descendants under the dominion of any foreign people? Would the descendants of the Pilgrim Fathers—of those who had been driven from the land of their nativity by oppression, and who encountered the dangers of the sea, and sought freedom in the new world, amid the perils that awaited them; who, in the cabin of the Mayflower, while speeding their way from the land of oppression, concocted and arranged the first code of American popular government, and who carried it into practical operation at Plymouth, and inculcated its principles into the minds of their children? Would the descendants of those Pilgrim Heroes, reared and educated in the religious and political faith of their fathers; and who had manifested their unmitigated hatred of oppression, and their own devotion to the doctrines of civil liberty, at Concord, at Lexington, at Bunker's hill, and on all the glorious battle fields of the Revolution; would they have been likely to enter into any compact by which this Federal Government might transfer them, or their descendants to the dominion of Texas, or Mexico, or Brazil, or to England itself? Sir, the assertion that such powers exist in the Constitution is a reproach upon the New England character: it is offensive to New England feeling, an imputation upon New England honor: it is an insult to the common feelings of our people, and must inevitably call forth a corresponding indignation in the breast of every true son of the North.

But, Mr. Chairman, by adopting our Federal Constitution, a union was voluntarily formed of the Old Thirteen States. This was the act of each State; for each determined for itself upon the propriety of adopting the Constitution. The compact made provisions for admitting *by act of Congress* new States, to be formed out of the territory included within the boundaries dividing our Government from foreign nations. That union, formed by the wisdom of our fathers, and consecrated by the blood and suffering which had marked their recent struggle for independence, *we love and cherish*. To it we shall adhere in all of its stipulations. We regard it as the sanctuary of American liberty. We shall defend it, if necessary, with our treasure and our lives. But we shall not surrender this Union, sanctioned and sanctified by half a century of national prosperity, in order to try a *new union*, and that, too, with slaveholding Texas! Sir, every school boy must see that to form a *new union* with any foreign power would be "*ipso facto*" a dissolution of our present Union. Now I would say to an imbecile President, and a demented Cabinet, that they have no the power to form a *union* between our people of the free States and Texas. If such a union be ever formed it will be the voluntary acts of the people of our States and those of Texas. The President and his Cabinet may enter into a many treaties as they please; and make such stipulations as they please; and form such *unions* for themselves as they please; *we* shall adhere to our *present* Union. If they wish to leave this Union and *go to Texas*, I, for one, will bid them "*God speed*." And if any of our Southern sister States are desirous of leaving our present Union to form a new compact with Texas, let them say so with generous frankness. But if Northern States prefer adhering to our present Union, and refuse to follow them into such new confederacy, don't let them attempt to charge us with *dissolving the Union*. I regret that any Northern man should speak of *dissolving the Union, if Texas be annexed*. Such expressions are an abuse of language. The act of uniting with Texas would itself be the dissolution; and refusal to unite with that Government would be to *maintain* the present Union. Again, some Northern men appear to think if our Southern States, with the Executive, prefer a new compact with Texas to remaining in our present Union, that, in such case, our Northern States must of course abandon the sacred compact formed by our fathers, and join such new and unholy alliance. But, Mr. Chairman, for one I am most decidedly in favor of firmly maintaining our present Union, although every slave State should forsake it, which I am sure they will never do. It is, however, true that the

Southern Democratic presses are holding out threats and menaces, of a dissolution of the Union, unless Texas be annexed. Well, sir, if this spirit of dissolution shall enter into our Southern friends, and they shall "*run down that steep place into the sea*" of slavery, and are choaked by its waves, the fault will not be chargeable upon us.

Mr. BELSER, of Alabama, said he desired to put a question to the gentleman from Ohio.

Mr. GIDDINGS. My time is fast spending, but if the gentleman will be brief I will hear him.

Mr. BELSER. I wish to inquire if the gentleman from Ohio will vote for a slave-holder at the coming Presidential election?

Mr. GIDDINGS. I should be led to think from the question, that the gentleman putting it, would not vote for a man who is *opposed to slavery*. I had supposed my own views to be understood. I have stated, Mr. Chairman, that your rights and mine were perfectly mutual. The great and leading feature of our national compact is a perfect reciprocity of political rights among the several States, and between the people of the several States. At the adoption of the Constitution no one attempted to introduce such a test for office as that now alluded to. Nor could the Constitution have been adopted upon the principle of excluding from office those *opposed to slavery*, or those in *favor* of that institution. If the gentleman from Alabama will withhold his vote from Mr. Birney, while he honestly believes that that gentleman will administer the Federal Government with an upright and constitutional regard to the rights of all the States; and that he will do it more ably and more effectually than any other man, merely for the reason that Mr. Birney is opposed to slavery, then, sir, he must have different views from those which I entertain. So, on the other hand, I verily believe that Mr. Clay will administer the Government with an honest and strict regard to the constitutional rights of all the States. This he stands publicly pledged to do; and a long life of public service, in which he has shown himself honest and independent, gives to the country the best possible assurance that he will maintain those rights to which I have alluded, and will wipe out the foul disgrace already brought upon our national character, by attempting to make slavery and the detestable slave-trade a subject of national support. Mr. Birney, if elected, and were in possession of Mr. Clay's talents and experience, could do no more. For I have no idea he would disregard the Constitution, or invade the rights of the south. Under these circumstances, can any man suppose that I would abandon the high constitutional principles for which I am contending, and make an issue unknown to the Constitution?

Mr. Clay did not, himself, act on such principles when he voted for my venerable friend near me, (Mr. ADAMS.) "*Is he honest? is he capable? is he devoted to the Constitution?*" are the questions propounded to me as an American citizen, when called to vote for Mr. Clay, or any other candidate. If compelled to answer these interrogatories in the affirmative, I should violate my own views of propriety were I to turn aside, to make up an issue in regard to his holding slaves under the laws of Kentucky. I am aware that many honest and patriotic citizens feel disposed to make the fact of holding slaves the test for office. I do not so understand my duty. On the contrary, I have at all times, and in all places, held that the true test for office is a just and upright adherence to the Constitution in all its bearings upon each and all the States, leaving the subject of slavery in the States to be disposed of by the several State Governments, guided by the feelings of enlightened philanthropy, which is now fast extending its benign influence through the whole Christian world, and which, in my opinion, at no distant day will strike the shackles from every slave in these States, and will redeem and regenerate our nation from the foul stain that now rests upon it.

But, Mr. Chairman, I little thought of being driven into a discussion of the Presidential election when I commenced my remarks. I have a few minutes left, and I have scarcely entered upon my subject. I, however, wish to call the attention of the committee to the expediency of the proposed annexation, provided it were possible to effect it. The people of New England are emphatically the moral, political, and religious antipodes of those who reside in Texas. They are not homogeneous. Their interests are as widely separated as are their geographical locations, and *can never be made to unite!* Their habits and their morals are distinct, as are their local situations. The protective policy

of New England can never be reconciled to the free trade principles of Texas. The love of universal liberty, so prevalent in New England, is wholly incompatible with Texian slavery. No act of Congress favoring the interests or the views of New England would be acceptable to the people of Texas. So, on the other hand, whatever law Congress may pass favoring the interest of Texas will be unacceptable to the people of New England.

But I am anxious to say a word in relation to the correspondence between the Secretary of State and the British minister resident in this city. I refer particularly to the letter of Mr. Calhoun to Mr. Pakenham, dated on the 18th of last month. And, Mr. Chairman, I feel humbled, as an American citizen, when compelled to speak of that letter, in which this Government and the people of this nation are represented as solicitous to continue slavery in Texas, and to oppose the progress of freedom and of human rights in that Government. For himself, and for the executive, he was authorized to speak; but for the *Government*, at least for the legislative branch of it, he was not authorized to speak. Sir, the representation that the legislative body were desirous to oppose the progress of civil liberty, I believe to be unfounded and untrue. For myself, as one of the members of this branch of the legislature, I declare it a misrepresentation. So far as that letter goes to impute to the people of the free States a desire to oppose the progress of human rights, and to extend and perpetuate slavery and the slave trade, I regard it as a base slander upon northern character.

Mr. BURT, of South Carolina, wished to interrupt the gentleman from Ohio.

Mr. GIDDINGS. I have but a minute or two left, and I want to say many things.

Mr. BURT. I want to know if the member from Ohio meant to say that the Secretary of State has done, or is capable of doing, anything *base*?

Mr. GIDDINGS. I am a little surprised at that question.

Mr. BURT, (much excited.) That was your language.

Mr. GIDDINGS. Mr. Chairman, I hardly know how to understand this southern dialect.

Mr. BURT, (amid cries of order, and the rapping of the chairman's mallet.) Do you understand your own language?

Mr. GIDDINGS. If gentlemen will keep cool I shall soon be through with my hour, and I will then answer all the questions they please to put to me. I had remarked, that so far as the letter in question went to impute to the people of the free States a desire to maintain and continue a traffic in human flesh, a traffic which we have denounced as *piracy*, and to extend the curse of slavery, so far I regarded it as a base slander upon northern character. And I would express the same idea in more forcible language if I could command it. I deny that any such feeling exists north of Mason and Dixon's line, and I characterize the assertion as basely slanderous.

But, Mr. Chairman, if my indignation was excited at the imputation to which I have alluded, I was humbled and mortified at seeing a weak and loosely penned lecture in favor of slaveholding, made the subject of an official communication to the British Government by an American Secretary of State; particularly as the whole argument against human liberty was based upon errors in our late census, which were palpably obvious to any person who would examine the official returns. Those errors relate to the number of *insane* colored persons reported to be in our free States. I say the errors are easily detected, and I will give an example. In Ohio several townships are reported as containing *fifty-one* colored insane persons, while the official returns show that there are *no* colored persons in the same townships. In other States the same errors appear upon the face of the official reports; and in Massachusetts there are more than a hundred and thirty insane colored persons reported as belonging to one family, in which it is fully shown that no colored person ever resided. Notwithstanding this representation of insane colored persons bore with it an exposure of its own errors, it would seem that the honorable Secretary could see only one side of the statement. These palpable errors are seized upon as furnishing conclusive evidence that *freedom was conducive to insanity*. Having made this grand discovery, he hastened to inform the British Government of the sublime effects which slavery and degradation has upon the human intellect, when the person is of dark complexion. He evidently supposed that the ordinary mode of publishing philosophical discoveries to the world would be too slow for his philanthropy, and he hastened to communicate it forthwith; and to insure public attention, he put it into the form of an *official message*.

The effect which this important communication had upon the British Government we have not yet learned. Whether the British ministry will be convinced of the truth of this novel theory, or whether they will regard the honorable Secretary himself as being in a state of insanity, superinduced by the very *great liberty* he has been taking with the rights of the people, as well as with the rights of Mexico, must be left for time to disclose. Now it so happened that one of those gentlemen so liable to become insane, according to the theory of the honorable Secretary, had, many months prior to the date of this communication, exposed, in a most able and convincing manner, the errors of the census to which I have referred. I allude to Dr. James McCune Smith, of New York, a gentleman of fine education and unusual talents, but his color is said to resemble that of Toussaint much more than it does that of the honorable Secretary. Feeling indignant at an article put forth in a southern periodical, containing the doctrine of the honorable Secretary's letter, he published his essay to which I have referred; and I think his friends will not hesitate to place his publication beside the honorable Secretary's letter, and let the world judge from the two productions which exhibits the greatest evidence of insanity, the Secretary of State or the Afro-American, whom the Secretary thinks would be much happier while writhing under the lash of an overseer, than while giving to the southern "literati" the productions of his well trained mind. But I will hazard the opinion that, if the Hon. Secretary had spent his time in reading Dr. Smith's essays, instead of writing this famous letter to show that the learned doctor should be toiling as a slave on a southern plantation, his own mind would have been improved, and the character of the country far better sustained. (Mr. G. was cut off by the expiration of his hour, and the debate was not renewed upon the bill then pending.)